

## **EXHIBIT 2.13 CATEGORICAL EXCLUSION/EXEMPTION (CE) CULTURAL RESOURCES CHECKLIST / MEMO TO FILE**

Beginning on the next page is an example of the checklist Caltrans uses for federal Categorical Exclusions and state Categorical Exemptions. Copies of the form are available upon request from the Caltrans Cultural and Community Studies Office, Division Environmental Analysis, Headquarters. Only Caltrans PQS who meet the qualifications outlined in the Section 106 Programmatic Agreement (Section 106 PA) [Attachment 1](#) may complete this form. If a project meets the criteria for screened undertakings outlined in [Section 106 PA Attachment 2](#), this checklist would serve as documentation for Section 106 and CEQA compliance. If a project does not meet the criteria in Attachment 2, complete the CE Cultural Resources Checklist / Memo to File *and* prepare the appropriate HPSR.

(SAMPLE) CALIFORNIA DEPARTMENT OF TRANSPORTATION  
CATEGORICAL EXCLUSION/EXEMPTION (CE)  
CULTURAL RESOURCES CHECKLIST / MEMO TO FILE

UNDERTAKING LOCATION AND NAME

District	County	Route	Kilo Post(s)	(Post Mile(s)	Charge Unit	Expenditure Authorization

Project Name:

*This checklist is designed to assist Caltrans staff in following appropriate procedures for 36 CFR 800 compliance for Categorical Exclusion (CE) projects, and CEQA compliance for Categorical Exemption (CE) projects. An appropriately qualified Caltrans cultural resources staff as outlined in Section 106 PA Attachment 1, "Caltrans Professionally Qualified Staff Standards," must complete the checklist.*

*Start with Task 1, indicate Yes or No, as applicable, and follow the "go to..." instructions. When completed, this form, with supporting documentation attached, serves as a Memo to File in the District CE file.*

1. Does this project qualify as a screened undertaking as described in Section 106 PA Attachment 2, "Screened Undertakings?"  
☐ YES. Go to 11.  
☐ NO. Go to 2.
2. Is a **BRIDGE** located within the project postmiles? If not, go to 3; if so, consult the Caltrans Historic Highway Bridge Inventory. If the bridge is a:  
☐ Category 1 or 2 bridge, go to 12. For state-only projects go to 13.  
☐ Category 3, 4 or 5 bridge built before 1960, contact the Section 106/PA Coordination Branch Chief in the DEA Cultural & Community Studies Office in Headquarters for further guidance. If the bridge requires re-evaluation, go to 12. For state-only projects go to 13. If re-evaluation is not required, print the appropriate page of the bridge inventory, and go to 12; for state-only projects go to 13.  
☐ Category 5 bridge built after 1959, print the appropriate page of the bridge inventory, and go to 3.
3. Review literature/records to determine potential for involvement of cultural resources. Consult the:
  - National Register of Historic Places and Updates: ☐ Negative ☐ Positive
  - California Register of Historical Resources: ☐ Negative ☐ Positive
  - California Historical Landmarks (State of California 1990): ☐ Negative ☐ Positive
  - California Inventory of Historical Resources (State of California 1976): ☐ Negative ☐ Positive

Also consult district records, maps, as-builts, databases, local historic resource inventories, and "collective corporate memory" for information about cultural sensitivity and extent of modern development and ground disturbance in the project area. In general, any project that will disturb ground previously undisturbed by road construction may require a field review to determine if surveys are necessary.

(SAMPLE) CALIFORNIA DEPARTMENT OF TRANSPORTATION  
CATEGORICAL EXCLUSION/EXEMPTION (CE)  
CULTURAL RESOURCES CHECKLIST / MEMO TO FILE

- ☐ If the records review indicates the presence of cultural resources or if there is too little information to make a decision as to the type of studies needed, perform a field review and further assess the need for studies. To examine the potential for archaeological sites, architectural properties, and other built environment resources within the project area, go to 4.
- ☐ If the records review indicates no possibility of cultural resources being present and the project involves *no ground-disturbing activities*, then state the explicit reasons why a survey is unnecessary, attach statement to this checklist, and go to 11
4. **ARCHAEOLOGY:** Examine the project area for terrain already subjected to massive modern disturbance (e.g., cuts, fill, pavement, built environment). Projects that disturb natural soil may affect archaeological deposits, artifacts, or other prehistoric or historic materials. *Note that the integrity of archaeological materials is not the issue, just their potential presence.* If the project:
- ☐ will *not* affect natural soils, or the areas to be disturbed are sufficiently altered to preclude any suggestion of archaeological materials being present (e.g., project takes place *entirely* on fill or in a cut below natural soil horizons), an archaeological survey is *not* warranted. State the explicit reasons why a survey is unnecessary, attach statement to this checklist, and go to 7.
- ☐ will affect natural soils, or archaeological materials may be present; an archaeological survey is warranted. Go to 5.
5. Prepare maps and request a records search at the appropriate Information Center of the California Historical Resources Information System. If the record search indicates that the APE:
- ☐ has been surveyed, examine the survey report(s). If the report does not meet Caltrans standards, go to 6. If it does meet Caltrans standards and is negative, go to 7; if the survey is positive, go to 12; for state-only projects go to 13.
- ☐ has *not* been surveyed, go to 6.
6. Conduct an archaeological survey.
- ☐ Prepare an ASR discussing survey results, including discussion of “Properties Exempt from Evaluation” as appropriate, and go to 7.
7. **ARCHITECTURE:** Examine the project area for architectural properties that may be directly or indirectly affected by the project. *Note: If there is any question as to whether an architectural property may be directly or indirectly affected, contact the district architectural historian(s) or the DEA Section 106/PA Coordination Branch Chief.* If the:
- ☐ project study area contains buildings, structures or objects that could be directly or indirectly affected by the project (including associated landscaping/setting), an architectural survey/evaluation is warranted; go to 8.
- ☐ project study area *does not* contain buildings, structures or objects that could be directly or indirectly affected, an architectural survey/evaluation is *not* warranted; go to 9.

(SAMPLE) CALIFORNIA DEPARTMENT OF TRANSPORTATION  
CATEGORICAL EXCLUSION/EXEMPTION (CE)  
CULTURAL RESOURCES CHECKLIST / MEMO TO FILE

8. Have qualified Caltrans architectural history staff who meet the qualifications outlined in Section 106 PA Attachment 1 evaluate the buildings, structures or objects.

- ☐ If staff determines that the properties *do not* fall within the purview of Section 106 PA Attachment 4, "Properties Exempt from Evaluation," go to 12; for state-only projects go to 13.
- ☐ If staff determine that all the properties qualify for treatment under Section 106 PA Attachment 4, "Properties Exempt from Evaluation," attach a statement documenting this finding or document it in the HPSR findings check box, and go to 10.

9. Examine the project area for other **BUILT ENVIRONMENT RESOURCES** (e.g., mines, roads, canals) that could be potentially significant or may contribute to the significance of a larger historic property. If the project:

- ☐ may directly affect potentially significant built environment resources, a historical evaluation is warranted; go to 12; for state-only projects go to 13.
- ☐ may *not* directly affect potentially significant built environment resources, a historical evaluation is *not* warranted; go to 10.

10. Examine the results of the field reviews/surveys. If cultural resources surveys resulted in:

- ☐ a statement justifying why an archaeological survey was unnecessary, a ASR that resulted in no sites identified, a statement that all properties fall under Section 106 PA Attachment 4, *or* a Category 5 bridge evaluation sheet, prepare an HPSR with "Findings –to File" and attach it to this checklist, place in CE file, and go to 11.
- ☐ an ASR that identified sites, architectural properties requiring evaluation, Category 1-4 bridges, Category 5 bridges that have turned 50 years old since last evaluated, *or* any previously unidentified resources determined potentially significant, prepare an HPSR with "Findings – to SHPO" and go to 12; for state-only projects go to 13.

11. Present CE Determination Form to FHWA Transportation Engineer for Signature. (Note: If a Programmatic CE, only District Environmental Branch Chief signature is necessary). For projects screened in accordance with Section 106 PA Attachment 2, the completed and signed CE Checklist serves as the Memo to File. For projects that do not meet the criteria for screened undertakings in Section 106 PA Attachment 2 and where Caltrans archaeological or architectural study findings are negative, prepare an HPSR with "Findings - to File." The FHWA Transportation Engineer will review the CE file and confirm the study results, as evidenced by the signing of the CE Determination Form that shows "No" adjacent to NEPA question number 1. ***Section 106 complete. For state-only projects: CEQA and PRC §5024 compliance for cultural resources is complete.***

12. Prepare the APE map and obtain Caltrans PQS signatures as appropriate. Conduct all necessary archaeological or architectural studies. Prepare and process an HPSR with "Findings –to SHPO" to SHPO and FHWA requesting concurrence on eligibility and effect as appropriate. The FHWA Transportation Engineer will sign the CE Determination Form once the requirements of 36 CFR 800 have been satisfied, as evidenced by a letter from SHPO to FHWA. Attach the Section 106 compliance letter to the CE. ***Section 106 complete. Go to 14.***

(SAMPLE) CALIFORNIA DEPARTMENT OF TRANSPORTATION  
CATEGORICAL EXCLUSION/EXEMPTION (CE)  
CULTURAL RESOURCES CHECKLIST / MEMO TO FILE

13. For state-only projects. Prepare the Project Area map and obtain Caltrans PQS signatures as appropriate. Conduct all necessary archaeological or architectural studies. Prepare a HRCR. Go to 14.
14. Are there state-owned buildings or structures in the Project Area that are listed in/eligible for listing in the National Register or registered/eligible for registration as California Historical Landmark(s)?
- ☐ **YES**. Submit the HRCR to SHPO, per PRC §5024, requesting concurrence on eligibility and no effect/no adverse effect as appropriate. Attach a copy of SHPO's concurrence letter to the CE determination form. Go to 15.
- ☐ **NO**. Go to 15.
15. Is there a substantial adverse change to a historical resource under CEQA?
- ☐ **YES**. The project does not qualify as a CEQA C.E. Prepare the appropriate CEQA documentation (Negative Declaration or EIR).
- ☐ **NO**. Go to 16.
16. Federal undertakings: The FHWA Transportation Engineer's signature or District Environmental Branch Chief's signature on the CE Determination Form, as described in Step 11, concurrently signifies there is no substantial adverse change to historical resources, the requirements for CEQA have been met, and for state-owned resources PRC §5024 requirements have been met. ***PRC §5024 and CEQA compliance for cultural resources is complete.***
- State-only projects: The DEBC will sign CE Determination Form indicating that CEQA cultural resources requirements have been met, that the project qualifies as a C.E., and for state-owned resources PRC §5024 requirements have been met. ***PRC §5024 and CEQA compliance for cultural resources is complete.***

Prepared by: District \_\_\_\_\_  
(sign on line below)

PQS discipline/level: \_\_\_\_\_  
(Add the level at which preparer is certified)

\_\_\_\_\_  
[Date]

Comments:  
(Add explanatory comments)